

REMARKS

Claims 1-45 were previously cancelled. Claims 46-74 are currently pending in the application. Claims 46, 54, 61 and 66 have been amended. Reexamination and reconsideration of the application, as amended, are respectfully requested.

Applicants wish to thank the Examiner, Mr. Nguyen, for the courtesy of a personal interview conducted with the undersigned attorney on April 7, 2008. The claims have been amended in accordance with the discussion had at the interview.

Claims 46-74 have been amended in a manner which Applicants believe overcomes the rejections based upon Takahashi.

Representative claim 46, for example, has been amended to recite a portable media device comprising a number of elements in combination. The claimed combination includes a housing and an input device. The claimed input device comprises a touchpad associated with the housing, the touchpad comprising a plurality of spatially distinct zones. The claimed touchpad is configured to receive rotational inputs and is capable of a gimbal action relative to the housing. The claimed gimbal action of the touchpad is configured to enable the touchpad to float relative to the housing while being constrained thereto, thereby enabling the touchpad to move in multiple degrees of freedom relative to the housing. The gimbal action of the touchpad enables a user of the portable media device to make a selection and each of the multiple degrees of freedom is associated with at least one function of the device.

Support for claim 46, as amended, is found for example in original paragraphs 47-62 of the present application. Referring to one embodiment described in paragraph 62 and shown in Figure 6, for example, the touch pad 72 is configured to gimbal relative to the frame 76 in order to provide clicking actions for each of the button zones 74A-D. In this embodiment each of the multiple degrees of freedom is associated with at least one function of the device.

A similar combination of elements is neither disclosed nor suggested by Takahashi. There is no teaching or suggestion in Takahashi of combination including a touch sensitive panel that gimbals or has multiple degrees of freedom. There is no teaching or suggestion in Takahashi of a combination including backward/forward motion of the touchpad in addition to right click/left click motion. Even if Takahashi is viewed as disclosing backward/forward motion of the touchpad in

addition to right click/left click motion, there is no teaching or suggestion in Takahashi of a combination in which such backward/forward motion is associated with the functional operation of the Takahashi device. There is no teaching or suggestion in Takahashi of a combination in which each of the multiple degrees of freedom is associated with at least one function of the device. Claims 46-74, as amended, define a combination in which each of the multiple degrees of freedom is associated with at least one function of the device. Claims 46-74, as amended, are thereby patentably distinguishable over Takahashi, viewed alone or in combination with other prior art.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.

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